IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

MONDAY, THE 15TH OCTOBER 2007 / 23RD ASWINA 1929

Tr.P(C).No. 221 of 2007()

OPMV.1429/2001 of ADDL.MOTOR ACCIDENT CLAIMS TRIBUNAL, ERNAKULAM
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PETITIONER

THOMAS KOTTACKAL,
AGED 66 YEARS, S/O ESTHAPPANOSE,
KOTTACKAL HOUSE, AYROOR P.O.,
ATTUPPURAM, PIN-683579 AND NOW RESIDING AT
KOTTACKAL HOUSE, JETTY ROAD,
VADUTHALA, COCHIN-23.

BY ADV. SRI.R.SUDHISH
SMT.M.MANJU

RESPONDENTS:
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1. K.THANGAVEL, S/O KUMARASAMY,
61/A5, R.P.PUDUR, MAIN ROAD,
NAMAKKAL, TAMIL NADU STATE.

2. T.RAJENDRAN, S/O THIRUVA KONAR,
55/5, KONAR STREET, R. PUDUPALAYAM P.O.,
TAMIL NADU STATE.

3. NATIONAL INSURANCE CO. LTD.,
REP. BY ITS REGL. MANAGER, REGL. OFFICE,
MUTHOOT TOWERS, M.G.ROAD, COCHIN-35.

THIS TRANSFER PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 15/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

M.N.Krishnan, J.

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Tr.P(C).No.221 of 2007

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Dated this the 15th day of October, 2007.

JUDGMENT

This transfer petition is filed to transfer O.P.(MV) No.1429 of 2001 pending before the IIIrd Additional District Court and M.A.C.T., Ernakulam to Vth Additional District Court and M.A.C.T., Ernakulam where O.P.(MV) No.2093 of 2000 is pending.

2. In a road accident, husband sustained injuries and the wife succumbed to the injuries and compensation applications were filed for the death of the wife as O.P.(MV) No.2093 of 2000 and for personal injuries as O.P.(MV) No.1429 of 2001. The incident had taken taken place on account of the very same accident and the parties are same and therefore, it is only just and correct that both the matters are tried by one and the same court.

3. Therefore, in order to render justice to the party, I direct

the IIIrd Additional District Judge, and M.A.C.T., Ernaulam to transfer O.P.(MV) No.1429 of 2001 to the Vth Additional District Judge and MACT, Ernakulam where O.P.(MV) No.2093 of 2000 is pending for joint trial and disposal. Since I am disposing of the petition at the admission stage itself, the IIIrd Additional District Judge, Ernakulam is directed to intimate the parties about the transfer.

Transfer Petition is disposed of accordingly.

M.N.Krishnan,
Judge.

ess 15/10